

REMARKS

Upon the filing of the attached RCE, reconsideration of this application is respectfully requested in view of the foregoing amendments and the following remarks.

By this amendment, Claims 1, 2, 4-7, and 18 have been amended and Claims 29-79 have been canceled. Thus, Claims 1-28 are currently pending in the application, of which Claims 1 and 18 are independent claims, and are subject to examination.

The Advisory Office Action dated June 15, 2007 indicates the rejection of Claims 19-28 under 35 U.S.C. §112, second paragraph, has been overcome. The Examiner, however, maintained his former position that Claims 1-3, 7, 10, 13, 18-22, 25 and 27 were rejected under 35 U.S.C. §102(b) as being anticipated by Fernandez (U.S. 4,855,725) and Claims 4, 5, and 23 were rejected under 35 U.S.C. §103(a) as being unpatentable over Fernandez in view of what was, according to the Office Action, "extremely well known in the art at the time of the applicant's invention." Furthermore, Claim 6 remained rejected under 35 U.S.C. §103(a) as being unpatentable over Fernandez in view of Kigami (JP04032497), Claim 8 remained rejected under 35 U.S.C. §103(a) as being unpatentable over Fernandez in view of Payton (U.S. 5,790,935), Claim 9 remained rejected under 35 U.S.C. §103(a) as being unpatentable over Fernandez in view of Himbeault (U.S. 6,556,561), Claims 11 and 12 remained rejected under 35 U.S.C. 103(a) as being unpatentable over Fernandez in view of Kawakura (U.S. 5,903,901), and claims 14-17, 24, 26, and 28 remained rejected under 35 U.S.C. §103(a) as being unpatentable over Fernandez in view of Payton. To the extent that

these rejections remain against the claims as pending, the Applicants hereby traverse the rejections as follows.

Amended Claim 1 recites a main memory that stores electronic books for delivery to subscribers in the system via at least one of an internet network, a cable telephone network, and a broadcasting network. Similarly, amended Claim 18 recites a processor section that processes electronic book orders and that packages electronic books for delivery via at least one of an internet network, a cable telephone network, and a broadcasting network.

Applicants respectfully submit that the cited prior art, taken alone or in combination, fails to teach or suggest at least the following combinations of features: delivering data via at least one of an internet network, a cable telephone network, and a broadcasting network, a queuing processor coupled to the main memory that receives electronic book orders and determines a queue location for an ordered electronic book, "first queues that temporarily store first sections of electronic books, and second queues that temporarily store second sections of electronic books, as recited in amended Claim 1. Furthermore, the cited prior art, taken alone or in combination, fails to teach or suggest at least the following combinations of features: delivering data via at least one of an internet network, a cable telephone network, and a broadcasting network, a queue section that stores the packaged electronic books, and a queue server that empties the queue section based on a queue priority model, as recited in amended Claim 18.

In Fernandez, a simulated electronic book (CD book) 30 receives data from a personal computer 10 via IR transceivers 48 and 26. As described in col. 2, lines 50-84

of Fernandez, a plurality of IR emitting diodes and photocells are installed around the periphery of the CD book 30 so that the book 30 can communicate with a PC without wire or connections. The PC is also equipped with IR transceiver so that a user of the CD book 30 can receive data from the PC anywhere in a room. Clearly, the purpose of Fernandez is to design a book-look-like device that can communicate with a PC within a short and limited distance. Therefore, it is impossible for Fernandez to transmit data via at least one of an internet network, a cable telephone network, and a broadcast network, as recited in amended Claims 1 and 18.

According to Fernandez, the CD book 30 includes a memory (RAM) 46 for storing pages of data transmitted from the personal computer 10, a display screen 34 for displaying the stored pages of data, and keypads 36 to switch between pages and to transmit a page request signal to the personal computer 10. The personal computer 10 is coupled with a CD ROM drive 22, from which the personal computer 10 retrieves the data to be transmit to the CD book 30 in response to the request from the CD book 30.

As described in col. 7, lines 35-48, the user of the CD book 30 can specifically enter a page number to retrieve the data in associated with the specific page number. If the data of the specific page is not stored in the memory 46, the CD book 30 transmits a request for the data of the specific page to the personal computer 10. The request can also be automatically transmitted to the personal computer 10 once it reaches the end of the pages stored in the CD book 30. Furthermore, in col. 8, lines 12-17, Fernandez describes that the user of the CD book 30 would first make a selection from a CD

directory displayed on a monitor 36 of the personal computer 10 and then open a cover 32 of the CD book 30 to load the memory 46 with the first twenty pages of the selection.

The Examiner alleged that Fernandez teaches the first and second queues implicitly from the description of col. 7, lines 2-4 and lines 24-27. Applicants respectfully disagree. As described in col. 5, lines 37-46, data transmitted to the CD book 30 is stored in RAM 46. There is sufficiently RAM for storing approximately twenty pages. The data in RAM is voltaic and the operation of writing into RAM writes over old data so that the old data is lost. Furthermore, col. 7, lines 14-30 of Fernandez describes, after the RAM 46 receives 20 pages of data from the PC 10, the user of the CD book 30 can select a page number and pages back and forth between pages. The selection of a page number will result in a transmission of a page number request from the CD book 30 to the PC 10. If the requested page is out of range, the user is required to make a new selection. If the requested page is in range, however, the preceding five pages and the succeeding 15 pages are transmitted to the RAM 46 of the CD book 30. In this case, the old twenty pages previously stored in the RAM 46 is overwritten by the new set of twenty pages of data.

Accordingly, it is respectfully submitted that there are no queues in CD book 30 of Fernandez. That is, Fernandez does not include first and second queues as recited in amended Claims 1 and 18. Indeed, the CD book 30 of Fernandez simply receives and displays data of an electronic book, it does not include a queuing processor, first queues and second queues as recited in amended Claim 1, nor does it disclose a queue section and a queue server, as recited in amended Claim 18.

For at least these reasons, Applicants respectfully submit that independent claims 1 and 18 are allowable over the applied art of record. As such, the rejection of these claims, under 35 U.S.C. 102(b) should be withdrawn.

Regarding claims 2-17 and 19-28, Applicants respectfully submit that each of these claims depends from one of allowable amended Claims 1 and 18, and is therefore allowable at least due to their dependencies from patentable independent claims as well as for the additional subject matter recited therein.

Conclusion

For all of the above reasons, it is respectfully submitted that the claims now pending patentably distinguish the present invention from the cited references. Accordingly, reconsideration and withdrawal of the outstanding rejections and an issuance of a Notice of Allowance are earnestly solicited.

Should the Examiner determine that any further action is necessary to place this application into better form, the Examiner is encouraged to telephone the undersigned representative at the number listed below.

In the event this paper is not considered to be timely filed, Applicants hereby petitions for an appropriate extension of time. The Commissioner is hereby authorized to charge any fee deficiency or credit any overpayment associated with this communication to Deposit Account No. 01-2300, referring to client-matter 026880-00004.

Respectfully submitted,
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Enclosure: Petition for Extension of Time (3 months)